

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Joseph Linder,

Plaintiff,

vs.

Carolyn W. Colvin, Commissioner
of Social Security Administration,

Defendant.

Civil Action No. 5:13-2238-RMG

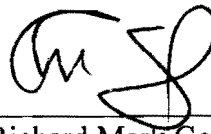
ORDER

This matter comes before the Court on Plaintiff's motion for an award of attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (Dkt. No. 28). Plaintiff seeks an attorney fee award of \$4,064.00, representing 25.40 hours of attorney time at \$160.00 per hour and costs of \$20.93. (Dkt. No. 28-1, 28-2). The Commissioner has advised the Court she does not oppose Plaintiff's motion regarding the award of attorney's fees and expenses but explains that the expenses of \$20.93 should be paid from the Agency Fund. (Dkt. No. 29).

The Court has reviewed the motion and memorandum of Plaintiff, as well as the supporting underlying documentation, and finds that the total fee request, hours expended, and hourly rates are reasonable and authorized under applicable law. *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002). Therefore, the Court hereby grants an EAJA award to Plaintiff in the amount of \$4,064.00 in fees and \$20.93 in expenses to be paid from the Agency Fund. This award is subject to the Treasury Offset Program, 31 U.S.C. § 3716(c)(1)(B). In the event Plaintiff has no present debt subject to offset and Plaintiff has executed a proper assignment to her counsel,

Defendant is directed to make the payment due herein to Plaintiff's counsel. If Plaintiff has no present debt subject to offset and no proper assignment has been made by Plaintiff to her counsel, Defendant is directed to make the check due pursuant to this Order payable to Plaintiff and to deliver the check to Plaintiff's counsel.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to be 'RM Gergel', written over a horizontal line.

Richard Mark Gergel
United States District Judge

March 23, 2015
Charleston, South Carolina